

**THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS’ ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA ON MONDAY, AUGUST 1, 2005. THE MEETING CONVENED AT 7:00 P.M.**

**MEMBERS PRESENT:**

- Chairman George N. Brown, Jr.
- Vice Chairman Perry L. Morris
- Commissioner Lee Kyle Allen
- Commissioner Bill Harper
- Commissioner Johnnie Sampson, Jr.
- Commissioner M. Renée Sisk
- Commissioner Leon C. Staton

**STAFF PRESENT:**

- Harold Blizzard, County Manager
- George B. Sawyer, Assistant County Manager
- Richard F. Hemphill, County Finance Officer
- Ray H. Moser, Human Resources Director
- Gwendolyn M. Bryan, Clerk to the Board
- James R. Sugg, County Attorney

Following an invocation by Commissioner Morris and the Pledge of Allegiance, Commissioner Sampson moved to approve minutes of July 5, 2005 regular session, seconded by Commissioner Morris and unanimously carried in a roll call vote.

**CONSENT AGENDA**

*Budget Amendments*

Craven County Finance Officer, Rick Hemphill, submitted the following budget amendments for the Board’s approval. Commissioner Morris moved for their approval, seconded by Commissioner Harper and unanimously carried in a roll call vote.

***CARTS EJTap& General***

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-7024-348-21-00 Elderly Handicap	\$2,057.00	101-7024-450-39-25 Transportation	\$2,057.00
101-7026-348-26-00	\$2,659.00	101-7026-450-39-25	\$2,659.00
TOTAL	\$4,716.00	TOTAL	\$4,716.00

**Justification:** Jones County has excess funds available which they will transfer to Craven County in FY 2005 to cover Craven’s expenses.

***CARTS General Rural Public Trans***

**FY 2005**

101-0000-399-01-00 Fund Balance	\$5,370.00	101-7026-450-39-25 Craven County Government	\$5,370.00
TOTAL	\$5,370.00	TOTAL	5,370.00

**Justification:** FY 2005 budget fund balance from FY 2004 to cover FY 2005 expenses.

***HCCBG Multiple Depts. FY 2005***

101-7002-348-04-00	\$(751.00)	101-7001-450-27-00	\$(751.00)
CARTS		Advertising	
101-6504-348-58-00	\$(106.00)	101-6504-440-40-20	\$(106.00)
Health		Therapists	
101-7295-377-26-00	\$(3,464.00)	101-7295-450-22-00	\$(1,000.00)
Congregate		Telephone	
		101-7295-450-32-28	\$(3,000.00)
		Donations	
101-7295-377-28-00	\$(2,100.00)	101-7295-450-23-00	\$(500.00)
Home Delvd		Utilities	
		101-7295-450-32-01	\$(64.00)
		Office Supplies	
		101-7295-450-32-28	\$(1,000.00)
		Donations	
101-7221-349-79-00	\$1,032.00	101-7221-450-10-02	\$7,457.00
DSS Access		Salaries	
101-7221-349-27-0	\$6,425.00		
DSS in Home			
101-7295-377-16-0	\$(719.00)	101-7295-450-73-21	\$(850.00)
USDA Congregate		C/O	
101-7295-377-18-0	\$(131.00)		
USDA Home Delvd			
TOTAL	\$186.00	TOTAL	\$186.00

**Justification:** Closing out HCCBG for FY 2005 – Using all available funds resulting in a USDA shortage of \$850 due to meals not being served a projected and an additional \$1,032 to DSS Access Services not previously budgeted.

***Rescue Squads***

101-0000-399-01-00	\$6,671.00	101-2826-410-40-97	\$(271.00)
Fund Balance		Rescue Net	
		101-2825-410-40-97	\$1,157.00
		NB Craven Rescue Net	
		101-2827-410-40-97	\$1,157.00
		Rescue Net	
		101-2828-410-40-97	\$1,157.00
		Rescue Net	
		101-2829-410-40-97	\$1,157.00
		Rescue Net	
		101-2830-410-40-97	\$1,157.00
		Rescue Net	
		101-2831-410-40-97	\$1,157.00
		Rescue Net	
TOTAL	\$6,671.00	TOTAL	\$6,671.00

**Justification:** Budget fund balance to cover cost of Rescue Net Maintenance fees for support and software upgrades for the squads.

***Jail***

101-2008-357-66-0	\$1,000.00	101-2008-410-25-00	\$1,000.00
Inmate Welfare		Travel	
TOTAL	\$1,000.00	TOTAL	\$1,000.00

**Justification:** Pay Tel contract signing bonus for FY 2006 was \$2,500; \$1,000 is needed in jail travel to cover the Sheriff’s conference in New Bern.

***Solid Waste***

101-0000-399-01-00	\$93,000.00	101-3235-420-40-68	\$93,000.00
Fund Balance		Landfill Maint	
TOTAL	\$93,000.00	TOTAL	\$93,000.00

**Justification:** Carry over balance from prior year in the amount of \$93,000. Landfill project is incomplete due to rainy weather.

***Health/Child Health***

101-5800-375.01-00	\$47,006.00	101-5800-440-10-02	\$35,341.00
Medicaid Maximization		Salaries/Full Time	
		101-5800-440-10-03	\$343.00
		Salaries/Merit	
		101-5800-440-11-01	\$2,681.00
		Benefits/FICA	
		101-5800-440-11-02	\$1,732.00
		Benefits/Retirement	
		101-5800-440-11-03	\$1,414.00
		Benefits/401k	
		101-5800-440-11-04	\$145.00
		Benefits/Workers Comp	
		101-5800-440-11-06	\$3,936.00
		Benefits/Health Ins.	
		101-5800-440-11-07	\$360.00
		Benefits/Dental Ins	
		101-5800-440-11-08	\$23.00
		Benefits/Life Ins	
		101-5800-440-11-09	\$31.00
		Benefits/Disability	
		101-5800-440-25-0	\$1,000.00
		Travel/Training	
TOTAL	\$47,006.00	TOTAL	\$47,006.00

**Justification:** Craven County Health Department’s participation in state-funded cardiovascular program has been terminated per the Health Director. All associated expenses are to be moved to the Child Health program and will be covered with Child Health Medicaid Maximization money.

***CARTS General Rural Public Trans***

***FY 2006***

101-0000-399-01-00	\$2,108.00	101-7026-450-39-25	\$2,108.00
Fund Balance		Craven County Government	
TOTAL	\$2,108.00	TOTAL	\$2,108.00

**Justification:** FY 2006 budget fund balance from FY 2005 to cover FY 2006 expenses.

***Subdivisions for Approval***

Craven County Planning Director, Don Baumgardner, submitted the following subdivisions for the Board’s approval. Commissioner Morris moved for their approval, as requested, seconded by Commissioner Harper and unanimously carried in a roll call vote.

Fullshire Plantation – Final: The property, owned by Coastal Marketing and Development Co. and engineered by McKim and Creed, is located in Township 5 on Adams Creek Road. The subdivision contains 60 lots on approximately 122 acres and is proposed to be served by individual wells and individual septic systems. The Planning Board reviewed and recommended the subdivision for final approval.

Morgan Ridge, Addition 2 – Final: The property, owned by Janie Kornegay and surveyed by Matthews Surveying, is located in Township 9 off of NC Highway 55. The subdivision contains 1 lot on 4.93 acres and is proposed to be served by community water and individual septic systems. The Planning Board reviewed and recommended the subdivision for final approval.

Lance C. Wallace and Richard D. Wallace Subdivision – Final: The property, owned by Lance Wallace and Richard Wallace and surveyed by Robert Davis, is located in Township 7 off of Old Cherry Point Road. The subdivision contains 2 lots on approximately 1 acre and is proposed to be served by County water and sewer. The Planning Board reviewed and recommended the subdivision for final approval.

Willie Stallings Division – Final: The property, owned by John B. Hardee and surveyed by Atlantic Surveying, is located in Township 7 on Old Airport Road. The subdivision contains 3 lots on 3.5 acres and is proposed to be served by County water and City of New Bern sewer. The Planning Board reviewed and recommended the subdivision for final approval.

*Tax Releases*

Craven County Tax Administrator, Ronnie Antry, submitted the following tax releases for the Board’s approval. Commissioner Morris moved for their approval, seconded by Commissioner Harper and unanimously carried in a roll call vote.

*Credits*

TAXPAYER NAME	TICKET #	AMOUNT
ADAMS, MATTHEW D DID NOT OWN 01/01/2005	2005-0000207	\$270.46
APAC ATLANTIC INC CORRECTING APPRAISAL ERROR	2005-0001359	\$144.81
ASSET RECOVERY AND MANAGE CORRECTING APPRAISAL ERROR	2005-0001721	\$52.03
BACON, CHARLES J & SUSAN MCM CORRECTING VALUE PER BILL OF SALE	2005-0002004	\$2.79
BAILEY, MATTHEW J & INEZ DID NOT OWN 01/01/2005	2005-0002084	\$158.34
BETZEL, LAWRENCE J & KAREN G A DID NOT OWN 01/01/2005	2005-0004372	\$990.62
BLT OF NEW BERN INC NO BUINSESS PERSONAL PROPERTY – ONLY VEHICLES	2005-0004902	\$56.88
BONNICI, SUSAN OVERMAN NC LICENSE PLT. ON VEHICLE AFTER 01/01/05	2005-0005114	\$20.07
CANADY, LINWOOD NORRIS & GLEND INCORRECT SITUS-SHOULD BE 8-T	2005-0008119	\$11.28

CAPSHAW, RONALD A & JULIA I INCORRECT SITUS-SHOULD BE 7G	2005-0008253	\$104.94
CHANDLER, LINDA EDWARDS INCORRECT SITUS-SHOULD BE 2A	2005-0009270	\$76.09
CRAVEN COUNTY EXEMPT PROPERTY	2005-0011899	\$32.00
CRAVEN COUNTY EXEMPT PROPERTY	2005-0011901	\$2,892.62
CRAZY HEAD INC. DID NOT OWN 01/01/2003	2003-0091190	\$63.64
CRAZY HEAD INC. DID NOT OWN 01/01/2004	2004-0090523	\$60.39
CRYSTAL COAST HABITAT FOR HUM DWELLING NOT COMPLETE AS OF 07/01/05	2005-0012402	\$32.00
DAVIS, CHRISTOPHER W & SHERRY DID NOT OWN 01/01/2005	2005-0013166	\$534.00
DAWSON, ERIC T DOUBLE LISTED ON ACCT #26954	1999-0012161	\$365.40
DAWSON, ERIC T DOUBLE LISTED ON ACCT #26954	2000-0012434	\$328.31
DAWSON, ERIC T DOUBLE LISTED ON ACCT #26954	1999-0090113	\$379.76
DAWSON, ERIC T DOUBLE LISTED ON ACCT #26954	2001-0012571	\$317.37
DAWSON, ERIC T DOUBLE LISTED ON ACCT #26954	2002-0012666	\$275.52
DAWSON, ERIC T DOUBLE LISTED ON ACCT #26954	2003-0012768	\$237.76
DAWSON, ERIC T DOUBLE LISTED ON ACCT #36954	2004-0012950	\$210.05
DAWSON, ERIC T DOUBLE LISTED ON ACCT #36954	2005-0013471	\$202.39
ECONO DRAIN & HOME REPAIR INC NOT IN BUSINESS 01/01/2005	2005-0015807	\$5.87
ECONO DRAIN & HOME REPAIR INC NOT IN BUSINESS 01/01/2004	2004-0090580	\$6.70
ELBERT, TRINIQUE R CORRECTING APPRAISAL ERROR	2005-0016177	\$137.80
FONVILLE, HELEN M RELEASE RECYCLE FEE PER AFFIDAVIT SIGNED 6-05	2005-0018029	\$32.00
FORESTER, JOSHUA JOSEPH MILITARY-HIS NAME ONLY 04 LES-MA ECC-04/01/04	2004-0017431	\$72.76

HARRIS, EMANUEL B DOUBLE LISTED AS REAL ON ACCT #57777	2005-0023474	\$293.25
HAZELDEN, MARK VALUE ADJUSTED PER BILL OF SALE	2005-0024299	\$136.47
HILL, JASON ROSS DOUBLE LISTED ON ACCT #60003	2005-0025166	\$254.80
INTEGRITY AUTO SERVICES LLC DOUBLE LISTED ON ACCT #61902	2005-0026890	\$142.45
JOHNSTON COUNTY CABLE LTD PART NOT IN BUSINESS 01/01/2005	2005-0028454	\$197.25
JOHNSTON COUNTY CABLE LTD PART NOT IN BUSINESS 01/01/2004	2004-0090765	\$214.47
JUSTICE, PRESTON H & LEATHERMA DID NOT OWN 01/01/2005	2005-0029315	\$1,337.21
KOONCE, EMMETT L CORRECTING SCE REMOVED IN ERROR	2005-0030532	\$226.82
LEONARD, ROBERT D TRUSTEE & LE CORRECTING APPRAISAL ERROR	2005-0031849	\$2,703.73
LUCAS, HOLLY DID NOT OWN 01/01/2005	2005-0032930	\$40.66
MAZZEO, JOSEPH A BILLED AS BUSINESS SHOULD BE BILLED AS PERSONAL PR	2005-0034544	\$64.97
MELSON, GARY F & JACQUELINE T VALUE ADJUSTED PER BILL OF SALE	2005-0035834	\$354.89
MONK, SENIA LEFT CRAVEN CO. PRIOR TO 07/01/2005	2005-0090062	\$32.00
NICHOLS, AARON MICHAEL MH LEFT CRAVEN COUNTY PRIOR TO 07/01/05	2005-0090066	\$32.00
NOTHELFER, KIRK D & JENNIFER E DID NOT OWN 01/01/05	2005-0039727	\$1,051.01
POMPEY, JOAN COWARD DID NOT OWN 01/01/2004	2004-0091680	\$76.24
PRATHER, JOHN A MILITARY-HIS NAME ONLY 05 LES-TX ECC-NONE (CAPT)	2005-0042461	\$29.79
RICE, GORDON A & SANDRA L DID NOT OWN 01/01/2005	2005-0044018	\$566.33
SNAPKO, DANE J REVALUED PER ABOS	2005-0048717	\$1.97
THOMAS, MICHAEL LEON & VANESSA DID NOT OWN 01/01/2005	2005-0051771	\$461.72

TLC HAIR SALON INC NOT IN BUSINESS 01/01/2004	2004-0091121	\$77.18
VAN BAARS SCREEN PRINTING DOUBLE LISTED ON ACCT #61801	2005-0053570	\$67.11
WALTER, CHARLES WAYNE & RENE T CORRECTING APPRAISAL ERROR	2004-0052940	\$479.38
WALTER, CHARLES WAYNE & RENE T DWELLING REMOVED PRIOR TO 01/01/2003	2003-0052343	\$479.38

54 – CREDIT MEMO(S)      \$17,395.73

*Health Department Proposed Rate Changes*

Craven County Health Director, Wanda Sandelé, submitted the following proposed changes in rates for selected services which were recommended by the Board of Health at their July meeting. The change in charges is necessary due to changes in the Medicaid rate for these services. Commissioner Morris moved for approval of the following rate changes as recommended by the Health Board, seconded by Commissioner Harper and unanimously carried in a roll call vote.

PROCEDURE CODE	DESCRIPTION	OLD RATE	NEW RATE
90471	Vaccine Admin 1	13.00	27.42
99201	New Office Level 1	60.00	62.10
99202	New Office Level 2	90.00	93.15
99203	New Office Level 3	128.00	132.48
99204	New Office Level 4	188.00	194.58
99205	New Office Level 5	236.00	244.26
99211	Est Office Level 1	33.00	34.16
99212	Est Office Level 2	55.00	56.93
99213	Est Office Level 3	76.00	78.66
99214	Est Office Level 4	118.00	122.13
99215	Est Office Level 5	176.00	182.16
S9442	Child Birth Classes	21.50	19.09
	Decrease due to restrictions at federal level		
T1016	Child Service Coord	21.00	21.74

New Code Effective 07/01/05  
90465                      Immunization Administration Under 8 years of age    27.42

**PRESENTATION ON GIRLS’ BABE RUTH SOFTBALL LEAGUE**

Cindy Ward, girls’ softball parent, provided a Powerpoint presentation on highlights of the state tournament that was recently held at Craven County’s Creekside Park, hosted by the New Bern Girls Babe Ruth Softball League, and thanked the Board for the County’s support. Bill Ward provided a financial report on the tournament and indicated that the tournament fundraising had created a surplus in funds for New Bern’s Girls Babe Ruth Softball League. The financial impact to the County was also discussed and Ms. Ward urged the Board not to consider any requests that may come forth to grass the fields because that would not be allowable in the Babe Ruth Softball Leagues, according to their rules. These are the leagues that provide the greatest economic impact to the County.

**WEST OF NEW BERN FIRE DEPARTMENT REQUEST**

Doug Fergason, President of the West of New Bern Fire Department, presented a request that the Board endorse the Department’s plans to purchases a 1250 pumper truck for a purchase price of \$174,000, in compliance with the Fire Department’s contract with the

County. Commissioner Allen moved to endorse the West of New Bern Fire Department's plans, seconded by Commissioner Sampson and unanimously carried.

## **PRESENTATION ON NATIONAL FOREST FIRE MANAGEMENT PROGRAM**

James Cherry, Assistant Ranger, and David Nelson, Assistant Fire Management Officer, provided a Powerpoint presentation on the National Forest Fire Management Program, and stressed the importance of the prescribed burning program. He urged the Board to support the efforts of the Forest Service to educate citizens about the program's benefits, including the protection of neighboring homes.

## **CONVENTION CENTER YEAR-END REPORT**

Convention Center Director, Sandy Chamberlin, provided a Powerpoint presentation with annual reports for the Convention Center and the Visitors Center. The report highlighted the success of the Convention Center, which experienced its best year yet in FY 2005, with 140,000 attendees at 346 events held over 434 event days and producing \$9,048,949 positive economic impact on Craven County.

## **PLANNING DEPARTMENT MATTERS**

### *Update on Proposed Highway 43 By-Pass, ETJ Extension*

Planning Director, Don Baumgardner, advised the Board that the City of New Bern has adopted a proposed zoning map for the entire NC 43 corridor area, which varies from the Commissioners' intent in granting authority to extend extraterritorial jurisdiction during the July 5, 2005 regular session. The City has exercised its statutory authority to the fullest extent, which brings a section of the new ETJ boundary into the Industrial Park.

### *Trent Woods Sewer Conversion Project Update*

Mr. Baumgardner advised the Board of an agreement with the City of New Bern to conduct sewer conversion inspections for Trent Woods in order to provide a higher level of service and respond to inspection requirements in a more timely manner. The agreement is revocable with 24 hours notice.

### *JLUS Update*

Mr. Baumgardner provided the Board with copies of the JLUS (Joint Land Use Study) brochures that are being distributed to local realtors. He explained that the brochure was designed to help prospective home buyers in or near the study area to understand encroachment issues.

## **METHOD OF DISPOSAL OF SURPLUS PROPERTY**

Finance Officer, Rick Hemphill, reported on the recent sale of a 1974 backhoe, which was executed online through GovDeals.com. The sale was successful in bringing more revenue on the item than was anticipated. The Board was asked to authorize staff to continue disposing of surplus equipment using this method throughout the year, thus avoiding the necessity to store items until a public auction date. Commissioner Allen moved to authorize staff to use the online service for the disposal of surplus personal property up to the \$5,000 limit that is authorized at the County Manager's discretion, on a trial basis for one year. Commissioner Staton seconded the motion, which carried unanimously. The Board was asked to authorize the disposal of a trailer formerly used by Cooperative Extension, which was purchased at a cost of \$7,400. Commissioner Sisk moved to declare the item surplus and authorize its disposal, seconded by Commissioner Harper and unanimously carried in a roll call vote.



## **APPOINTMENT – EASTERN CAROLINA WORKFORCE DEVELOPMENT BOARD**

Commissioner Allen presented recommended names for a replacement of Joe Greaser on the Eastern Carolina Workforce Development Board to represent organized labor. Commissioner Allen nominated Ronald Knight. Commissioner Staton provided some background on Mr. Knight. Commissioner Sampson moved to close nominations, seconded by Commissioner Harper and unanimously carried, with Mr. Knight being appointed by acclamation.

## **COUNTY ATTORNEY’S REPORT**

County Attorney, Jim Sugg, presented the following resolution for the Board’s approval to authorize disposal of property on Broad Creek Road at public auction on September 7 at 12 noon. Commissioner Morris moved to adopt the resolution and authorize the County Attorney to proceed to advertise the auction, seconded by Commissioner Samspon and unanimously carried.

### **RESOLUTION OF THE CRAVEN COUNTY BOARD OF COMMISSIONERS AUTHORIZING THE SALE OF REAL PROPERTY AT PUBLIC AUCTION**

**WHEREAS**, Craven County (“County”), a body politic and corporate, is the owner of a parcel of land located at 798 Broad Creek Road (SR 1600), Number Two (2) Township, Craven County, North Carolina, which is described in Exhibit “A” attached hereto; and

**WHEREAS**, County has determined that said property is no longer needed for County purposes and should be sold at public auction; and

**WHEREAS**, County authorizes the sale of the parcel of land containing 10.50 acres more or less as shown on a survey prepared by Eastern Engineers and Associates, New Bern, North Carolina dated October 1, 1975, entitled “Survey for Ray McCotter,” recorded in Plat Cabinet A, Slide 110-A, Craven County Registry, and further described in Exhibit “A” attached hereto, and further described in Commissioner’s Deed dated May 24, 2004 and recorded May 28, 2004 in Book 2190 at Page 854, Craven County Registry; and

**WHEREAS**, in accordance with the provisions of N.C. Gen. Stat. § 160A-270, the Craven County Attorney is hereby authorized and empowered to offer for sale the parcel of land at public auction at 12:00 noon on the 7<sup>th</sup> day of September, 2005 at the Craven County Courthouse door, 302 Broad Street, New Bern, North Carolina; and

**WHEREAS**, said offer or bid must be accepted by County at a subsequent meeting of the Board of Commissioners to become final; and

**WHEREAS**, the highest bidder must deposit ten percent (10%) of the bid with County, which deposit shall be held by County to ensure that said highest bidder will complete the purchase of the property if accepted by County; and

**WHEREAS**, County shall publish a notice of the sale of said property in the *Sun Journal* at least one (1) time not less than thirty (30) days before the sale, which notice shall contain the description of the property to be sold and said terms of the sale as referenced in this authorizing resolution.

**NOW, THEREFORE,** the Craven County Attorney is authorized to sell the parcel of land described herein containing 10.50 acres more or less at the Craven County Courthouse door at 12:00 noon on September 7, 2005, with the highest bidder depositing ten percent (10%) of the purchase price with County to be held in escrow to ensure completion of the purchase of the property if said bid is accepted by County.

Adopted this 1<sup>st</sup> day of August, 2005.

### **COUNTY MANAGER'S REPORT**

County Manager, Harold Blizzard, presented an ordinance to prohibit smoking on the grounds of the Human Service Complex as a result of the Board's action on May 9, 2005, at which time a resolution designating the Human Services Building as a non-smoking facility was adopted. This resolution prohibited smoking within 50 linear feet of entrances and air intake units and was initiated pursuant to the authority of House Bill 239, which was approved by the North Carolina General Assembly on April 28, 2005. In addition, House Bill 1482, adopted on July 7, 2005, further defined grounds to specifically include the Department of Social Services and any other offices located within the Human Services Building. The County Attorney advised the Board that an ordinance, as opposed to a resolution, would be more consistent with an already existing ordinance regulating smoking in other County buildings, which was adopted on October 7, 1993. Commissioner Allen moved to adopt the ordinance, which follows, seconded by Commissioner Morris effective upon approval. The motion carried with six (6) "Ayes", there being one (1) "Nay" from Commissioner Harper. Not having been carried unanimously, the motion to adopt the ordinance will need to be placed on the next agenda at which time a simple majority would be adequate for its adoption.

### **ORDINANCE REGULATING SMOKING IN COUNTY-OWNED BUILDINGS AND CERTAIN AREAS ADJACENT TO COUNTY-OWNED BUILDINGS OF CRAVEN COUNTY, NORTH CAROLINA HOUSING THE CRAVEN COUNTY HEALTH DEPARTMENT AND THE CRAVEN COUNTY DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, pursuant to the authority contained in North Carolina General Statute § 153A-169, the Craven County Board of Commissioners adopted an ordinance regulating smoking in certain buildings of Craven County, North Carolina; and

WHEREAS, the ordinance regulating smoking in County-owned buildings of Craven County, North Carolina was adopted on the 7<sup>th</sup> day of October, 1993 and became effective October 14, 1993, wherein smoking was regulated in certain buildings and areas of buildings owned by Craven County in which certain areas were declared non-smoking areas and some areas declared smoking areas; and

WHEREAS, North Carolina General Statute § 143-599 exempted certain buildings and portions of certain buildings and areas upon which said buildings are situated from the provisions of Chapter 143, Article 64, but did not include the department of social services, nor the area located within 50 linear feet of a local health department, nor a local department of social services, nor veterans' services office; and

WHEREAS, on the 7<sup>th</sup> day of July, 2005, the General Assembly of North Carolina enacted House Bill 1482 to amend Chapter 143, Article 64 to include the department of social services building and grounds in the list of facilities exempted from

the provisions of Chapter 143, Article 64 and also defined “grounds” of the local department of social services and the local health department as meaning the area located within 50 linear feet of a local health department, or a local department of social services, or any other offices located within the human services complex.

NOW, THEREFORE, Craven County prohibits smoking in the Craven County Health Department Building, and within 50 linear feet of any entrance to the Craven County Health Department Building, and within 50 linear feet of any air intake units serving the Craven County Health Department Building.

NOW, THEREFORE, Craven County prohibits smoking in the Craven County Department of Social Services Building, and within 50 linear feet of any entrance to the Craven County Department of Social Services Building, and within 50 linear feet of any air intake units serving said Craven County Department of Social Services Building.

NOW, THEREFORE, Craven County prohibits smoking in the Craven County Veterans Services Office located in the Human Services Building, and within 50 linear feet of any entrance to the Craven County Veterans Services Office, and within 50 linear feet of any air intake units serving said Craven County Veterans Services Office.

This Ordinance shall become effective upon adoption by the Craven County Board of Commissioners.

Adopted this \_\_\_\_ day of August, 2005.

### **COMMISSIONERS' REPORTS**

*Commissioner Harper* stated that he voted against the smoking ordinance because he disapproves of governments' attempts at regulating smoking.

*Commissioner Sampson* reported on the benefits that he gained from the NACo Conference and stated that the CDBG Program funding had been restored as a result of the collaborative action of counties across the nation. He commented on the scourge of methamphetamines across the nation, which was highlighted at the conference.

*Commissioner Sisk* expressed her disappointment with the General Assembly for its abandonment of Medicaid relief efforts. She encouraged citizens to run for municipal office, stating that there are not enough candidates in River Bend to fill all offices.

*Commissioner Staton* commented on the serious problems created by methamphetamine labs. He moved to direct staff to contact the Department of Transportation with a request to study the speed limit on Adams Creek Road between Highway 101 and Craven Corner Missionary Baptist Church, seconded by Commissioner Allen and unanimously carried.

*Commissioner Allen* expressed disappointment with the General Assembly's failure to provide Medicaid relief for counties. He advised the Board that he will be serving on the National Methamphetamine Taskforce, representing the National Association Local Boards of Health.

*Commissioner Morris* reported on workshops which he had attended at the NACo Conference on Medicaid entitlements for incarcerated citizens, and a discount drug card program. He cautioned against resurrecting the possibility of an OLF (Outlying Landing Field) site in northern Craven County, reminding the Board that area residents are strongly opposed.

*Commissioner Brown* reported on the concerns raised by recent rulings on eminent domain for the purposes of economic development.

At 9:00 p.m. Commissioner Allen moved to adjourn, seconded by Commissioner Sisk and unanimously carried.

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Chairman George N. Brown, Jr.  
Craven County Board of Commissioners

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Gwendolyn M. Bryan, Clerk to the Board